

**BROKEN ARROW CITY COUNCIL MEETING MINUTES
JULY 21, 2003**

1. The Broken Arrow City Council met in regular session in the City Hall Council Chambers on Monday, July 21, 2003, at 7:00 P.M. Mayor Richard Carter called the meeting to order.

2. The Invocation was given by Brother Bradley Gray.

3. Present: Mayor Richard Carter
Vice-Mayor Craig Thurmond
Councilman Wade McCaleb
Councilman Tom Chatterton
Councilwoman Melissa Mahan

Staff Present: Michael D. Kadlecik, City Manager
Gary Blackford, Assistant to the City Manager
Melanie Bolduc, City Clerk
Tom Caldwell, Finance Director
Justin Cook, Director of Engineering
Scott Esmond, Parks & Recreation Director
Jay Heinrichs, Controller
Brent Murphy, Assistant City Planner
Ron Osborn, Fire Chief
Allen Stanton, Chief Building Inspector
Dave Wooden, Public Works Director
Todd Wuestewald, Police Chief
Michael Vanderburg, City Attorney

4. Mayor Carter recognized members of Boy Scout Troop 920 of Immanuel Lutheran Church and Troop 999 of the Elks Club who were present in the audience. Micah Schneider, a member of Troop 999, led the Council and audience in the pledge of allegiance.

5A. The Council considered approval of the special meeting minutes of July 7, 2003.

Motion by Chatterton, second by Mahan to approve the minutes of July 7, 2003.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

6A. The Council Considered the Official Installation Ceremony of Police Chief Todd Wuestewald. City Manager Michael Kadlecik introduced Todd Wuestewald as the new Police Chief. City Attorney Michael Vanderburg administered the Oath for Police Chief and Chief Wuestewald's wife presented the pin. Chief Wuestewald addressed the Council and audience. He praised the former Chiefs he worked under and spoke of how they influenced him.

6B. The Council considered presentation, approval of and authorization for the Mayor to execute a proclamation declaring July 25, 2003: "Kathryn Zaremba Day" in the City of Broken Arrow.

Motion by Mahan, second by McCaleb to approve the proclamation declaring July 25, 2003: “Kathryn Zaremba Day” in the City of Broken Arrow and authorize the Mayor to execute it.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

Mayor Carter read and presented the Proclamation to Kathryn Zaremba.

6C. The Council considered presentation, adoption of and authorization for the Mayor to execute Resolution No. 362 declaring the week of August 1-7, 2003: “Clown Week” in the City of Broken Arrow.

Motion by Thurmond, second by Mahan to approve Resolution No. 362 declaring the week of August 1-7, 2003: “Clown Week” in the City of Broken Arrow.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

Mayor Carter read and presented Resolution No. 362 to representatives of Clownz Around Tulsey Town. The clowns thanked Mayor Carter and presented him with a black hat and red nose.

6D. The Council considered presentation of City of Broken Arrow “Employee of the Quarter” award to Lisa Blackford for the period July through September, 2003. City Manager Michael Kadlecik introduced the item and gave background.

Motion by Chatterton, second by Mahan to approve Lisa Blackford as Employee of the Quarter and that she receive one day off with pay and her photo be displayed at City Hall.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

Mayor Carter presented to Lisa Blackford a certificate for one day off with pay.

6E. The Council considered the Appeal: Consideration of Oklahoma Die Casters’ appeal of the City’s Industrial Pretreatment Program Consent Order. Public Works Director Dave Wooden introduced the item. Mr. Wooden stated there are \$15,000 in back fines and failure to meet current pre-treatment standards. He explained the steps in the process are to give notice of violations then assess fines and finally file a consent order. He noted when the City gets to the consent order stage historically companies have changed ownership. Mr. Wooden proposed Oklahoma Die Casters pay the March and April 2003 fines and use the amount of the May 2003 and other fines toward clean-up of the plant and compliance. In response to Councilman McCaleb, Mr. Wooden stated when the present owners took over he notified them of the past fines and the new owners started working toward a solution at that time and are diligently working toward resolving the problem. In response to Mayor Carter, Mr. Wooden stated the time to bring this company into compliance will vary and will be made a part of the consent order. Tom Kearns, President of Oklahoma Die Casters, and Walter Shifrin, President of Shifrin & Assoc., addressed Council and gave background on actions

they have taken to clean up the industry and stated the proposed alternative solution is acceptable to them.

Motion by Thurmond, second by Chatterton to approve the proposed alternative solution and direct the City staff to prepare a consent order implementing this solution.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

6F. The Council considered Public Hearing to abate general public nuisances. Mayor Carter announced there is a revised list. Councilman McCaleb noted there is a refrigerator in the yard at 1810 S. Date Avenue and expressed his concern regarding safety for children. City Manager Michael Kadlecik asked that Council incorporate into its motion to treat the refrigerator as an emergency abatement. Scott Wilson, 511 W. Richmond, stated there is a refrigerator at the curb next door to him at 509 W. Richmond. Mr. Kadlecik requested Council to incorporate into its motion that all refrigerators be treated as emergency abatements.

WEEDS

712 W Vicksburg St
3016 S Birch Ave

229 W Waco Pl

2003 S 1st Pl

UNSECURED HOUSE

712 W Vicksburg St

UNINHABITABLE STRUCTURE

2908 E Pawhuska Ave

TRASH

1810 S Date Ave
2003 S 1st Pl

712 W Vicksburg Street
3016 S Birch Ave

4108 S Elm Ave

Motion by McCaleb, second by Chatterton to declare the two refrigerators Emergency Abatements and declare the lots public nuisances and if they have not been abated, authorize the lots to be abated at costs to the property owners of \$225.00 per hour, and if the costs are not paid, to authorize the City Clerk to certify the costs as a lien against the property.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

8. The Council considered the Consent Agenda.

A. Approval of payroll for August 1, 2003.

B. Approval of BAZ 1603, 2.50 acres, A-1 to R-2, 1/3 mile north of Washington (91st) Street on the west side of Lynn Lane (9th Street).

C. Approval of and authorization for the Mayor to execute a Proclamation declaring July 22, 2003: "Drum Corps International Day" in the City of Broken Arrow.

- D. Approval of and authorization for the Mayor to execute Resolution No. 363 authorizing the formation of a Hazard Mitigation Planning Committee; and providing for the composition of said committee; stating the duties of said committee; requesting that City departments and employees assist said committee; and providing a deadline for the recommendations of the committee.
- E. Approval of and authorization for the Mayor to execute the Contract for Engineering Services for improvements to the intersection of Houston (81st) and State Highway 51.
- F. Approval of and authorization for the Mayor to execute Budget Amendment #4 for Fiscal Year 2002-2003.
- G. Approval of sole source purchase of radios with accessories from M/A COM for the 800 MHz radio system.
- H. Approval of sole source purchase of a defibrillator/monitor and battery support system from Medtronic Physio Control Corporation.
- I. Acceptance of DEQ permit for the construction of sanitary sewer line and appurtenances to serve the Coggins Sanitary Sewer Line Extension.
- J. Acceptance of DEQ permit for the construction of potable water line and appurtenances to serve the Park at Oak Grove II Potable Water Line Extension.
- K. Acceptance of a Temporary Construction Easement from South Park Assembly of God, Inc. (S34-T18N-R14E) (Project: South Loop Trails System).
- L. Acceptance of a Temporary Construction Easement from Joe L. Mills Trust (S3-T18N-R15E) (Project: Kenosha Street and Oneta Road Intersection).
- M. Acceptance of Water Line Easements from Broken Arrow Venture No. Two, L.P. and S-SI Broken Arrow Venture No. Three, L.P. (S9-T18N-R14E) (Project: Redbud Center 2).
- N. Acceptance of Drainage Easements from Reza Hayat; William Edward Samuel and Barbara J. Samuel (S11 T18N R14E) (Project: Rhodes Elementary School Detention Pond).
- O. Acceptance of Deeds of Dedication from Betty B. Winfrey (S3 T18N R15E); Paul and Marilyn Tackett (S4 T18N R15E) (Project: Kenosha Street and Oneta Road Intersection).
- P. Acceptance of Deed of Dedication from George Franklin Catlett (S4 T18N R15E) (Project: Kenosha & Evans Intersection).
- Q. Acceptance of Deed of Dedication from First Baptist Church Broken Arrow (S9 T18N R15E) (Project: Kenosha & Evans Intersection).
- R. Approval of Claims List.

Motion by Chatterton, second by McCaleb to approve the Consent Agenda.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

9. There were no items removed from the Consent Agenda for consideration.

10A. The Council considered BAZ 1598, 0.62 acres, R-5 and C-3 to C-5, 521 and 605 West Lansing Street, 1/5th mile north of Kenosha Street, east of Elm Place. Assistant City Planner Brent Murphy presented the item. In response to Mayor Carter, Mr. Murphy stated trucks will be allowed to be stored on the property but they can not be parked on the right-of-way or the street. Alan Paul, Engineer, stated the applicant did not understand the requirements regarding platting and engineering when he applied for the zoning change and noted they are well on the way to completing those requirements. Mr. Paul requested additional time for the platting process to be approved at this time so they don't have to come back in January 2004 with the same request. In response to Mayor Carter, Mr. Paul stated they typically allow 6 months on quotes from developers and this timeframe does not allow for that. Mayor Carter stated he is in favor of shooting for the January 1, 2004 deadline and then coming back to Council to request additional time if it is needed. There were no protestants.

Motion by Chatterton, second by Mahan to approve BAZ 1598 as recommended by the Planning Commission and staff.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

10B. The Council considered PUD 132A, DN02-160, C-5, Hancock Plaza, southwest of the southwest corner of Albany Street (61st Street) and 9th Street (Lynn Lane/177th E. Avenue). Assistant City Planner Brent Murphy presented the item. He noted the adjacent residential property owners have requested a decrease in fence height from 8-feet to 6-feet on the south and west boundaries. Tim Terral, Tulsa Engineering & Planning, stated they are in agreement with staff recommendations with the exception of the 8-foot high opaque fence. He stated they built a portable 8-foot high fence section and took it out to the property to demonstrate the height to the adjacent property owners. Mr. Terral stated the property owners then all agreed a 6-foot high fence would be more esthetically pleasing. He provided copies of a letter from the four property owners who appeared to protest this item at the last Council meeting, stating they are in agreement with the 6-foot high fence. Mr. Terral also presented a letter from Phil Roland, Stonewood Hills developer, also in favor of a 6-foot high fence. In response to Councilwoman Mahan, Mr. Terral stated he is unaware of any property owners who do not agree with the fence height change. There were no protestants.

Motion by Chatterton, second by McCaleb to approve PUD 132A as recommended by the Planning Commission and staff with the change in fence height requirement from 8-foot to 6-foot.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

11A. The Council considered the bids and possible action awarding the sale of \$7,725,000 principal amount of general obligation bonds and authorization for the Mayor to execute related documents. Rick Smith, Municipal Finance Services, Inc., presented the item and gave background. Mr. Smith stated they received only 2 bids for the sale of these bonds and noted they were both fairly close. He stated the most advantageous bid was submitted by BOSC, Inc.

Motion by Thurmond, second by Mahan to award the bid for sale of these bonds to BOSC, Inc.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

11B. The Council considered approving Ordinance No. 2556 providing for the issuance of \$7,725,000 principal amount of General Obligation Bonds, Series 2003 of the City of Broken Arrow, Oklahoma, authorized at an election duly called and held for such purpose; prescribing the form of bonds; providing for registration of the bonds; providing for the levy of an annual tax for the payment of principal and interest on the bonds; authorizing the Mayor to execute appropriate documents in connection therewith; approving the form of the continuing disclosure agreement; fixing other details of the issue and declaring an emergency. Don Kiser, Fagin Brown Bush Tinney & Kiser, presented the item.

Motion by Chatterton, second by Mahan to adopt Ordinance No. 2556.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

Motion by Thurmond, second by McCaleb to adopt the Emergency Clause of Ordinance No. 2556.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

11C. The Council considered approval of and authorization for the Mayor to execute Amendment #3 to Architect/Engineer Contract for Lynn Lane Wastewater Treatment Plant Expansion. Director of Engineering Justin Cook presented the item and gave background. In response to Councilman McCaleb, Mr. Cook explained the advantages and disadvantages regarding use of an oxidation ditch. Public Works Director Dave Wooden stated the current plant has an aeration basin and noted this is a very old and obsolete design for air distribution. He stated this system is very inefficient and has a lot of drawbacks including an odor problem. Mr. Wooden stated the new system is the newest method being utilized all over the country and the odor is very limited and runs very clean. Mr. Cook stated this plan recommends two oxidation ditches so there will be redundancy in the system which means they will be able to utilize one ditch while they work on the other. Ged Wright, 8513 S. 7th Street, stated he lives near the plant and has not been contacted by staff in a year regarding the project processes and requested updates on progress at the plant. He stated nothing has been solved with the matter on hand. In response to Council's questions, Mr. Wright stated he was at the meeting regarding Phase II and has not been contacted since and further stated he has not contacted any Council members. Mayor Carter supplied a report to Mr. Wright and stated he will be notified of

future meetings. Scott Wilson, no address given, stated he is new to Broken Arrow and inquired if the residents were aware of the plant prior to purchasing their properties. Mayor Carter stated the plant has been there since 1965. Jim Calloway, 8609 S. 7th Ave., stated the plant was there when he purchased his property and further stated the odor wasn't a problem until recently. In response to Councilwoman Mahan, Mr. Cook stated the project was originally started due to the need for expansions since the current plant has reached its capacity. He stated the committee was formed at the same time due to an odor complaint and the contract then changed direction. He stated the investigation and testing showed no major odor problem at the time of testing but did show a problem with hydrogen sulfide and sludge production so Phase I was initiated for odor elimination using chemical additives and aerators in sludge basins. He further stated Phase II was a project to put a building around the sludge for both masking and production purposes. In response to Councilwoman Mahan, Mr. Cook replied in the affirmative that the plant operations are obsolete and need to be updated and that the odor is a cause of being obsolete. Public Works Director Dave Wooden stated the odor problem of July 4, 2003 was due to a July 3, 2003 equipment failure and the time it took to replace the motor and begin the sludge production. He stated the City took over operation of the plant from OMI on July 1, 2003 and noted they purchased the replacement motor a backup motor at the same time. Jim Wilson, 8605 S. 7th Ave., stated any time the wind blows from the south they can smell the plant. He stated after 5-years of complaining not much has been done regarding the odor control.

Motion by Thurmond, second by Mahan to approve Amendment #3 to the 2002 Engineering Contract with McGoodwin, Williams and Yates in the amount of \$583,000.00 and authorize the Mayor to sign the amendment.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

7. Under Citizen's Opportunity to Address the Council Mary Munoz, 2401 N. 14th Pl., addressed concerns regarding the Broken Arrow Bus Service and requested the route and schedule be redesigned. She suggested the fare be increased and the bus be run to accommodate curb-to-curb service.

Kenneth Bailiff, 713 W. Washington, stated his concern regarding a needed abatement of the property at 721 W. Boston. Director of Inspections Allen Stanton stated this property was removed from the Agenda Abatement List because DHS is working to clean up the location. He stated he will contact DHS for an update and possibly put this address on the next agenda.

Thomas Sinkinson, 5301 S. Fern Ave., noted he met with the Mayor this morning regarding his concerns about the widening of Elm and the effect on his property. He requested the gross salary amount of the City Manager and that pay increases be held in open meetings. He also suggested committees be formed to study job reclassifications, wages and salaries, and changing the form of government to replace the City Manager position with an elected official.

Carrie Steward, 700 W. Inglewood St., stated the Annotated Agenda does not itemize each of her concerns individually. City Attorney Michael Vanderburg stated the State statutes allow minutes as an official summary of the meeting showing the actions taken and the vote, and he further noted she can request a copy of the audio tapes through his office.

Linda Stilwell, 13507 E. 68th St., spoke about the effect of the City's rapid growth and stated she does not want the quality of life destroyed.

11D. The Council considered possible action on a request from David Thayer to waive, for a period of 5 additional years, the ordinance prohibiting the use of a fireworks stand and sale of fireworks in an area that has already used the 2-year moratorium that follows annexation. City Attorney Michael Vanderburg presented the item. David Thayer stated he signed a 10-year contract for fireworks sales two years before his land was annexed and he has 6-years remaining on the contract and noted he does have a \$1 million liability insurance policy. In response to Mayor Carter, Mr. Thayer stated he did not bring a copy of the contract and noted he will provide Council with a copy. In response to Councilman McCaleb, Mr. Vanderburg stated the current ordinance was revised in 1998 and allows for a 2-year extension after annexation. He further stated change can be made by amendment to the ordinance or a waiver of the ordinance. Vice-Mayor Thurmond stated it should be changed as an ordinance change and not as an exception.

Motion by Thurmond, second by McCaleb to deny the request of Mr. Thayer to be allowed to sell fireworks from the Angus Acres location for a period ending July of 2008 and review the ordinance for possible changes.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

11E. The Council considered possible approval to declare Lots 31 & 32, Block 14 of Homestead Addition as surplus property for the purpose of partnering with Habitat for Humanity to construct a low-income house. City Manager Michael Kadlecik introduced the item. In response to Councilman Chatterton, Mr. Kadlecik stated the property was acquired through a bond issue during the widening of the intersection of Elm and Houston. City Attorney Michael Vanderburg stated the City will have to clear the bond issue which is a technical fix and can be done. Mayor Carter stated the lots are vacant and the applicant currently lives in Broken Arrow and wishes to remain in the City and noted the applicant has completed the hours of labor as required by Habitat for Humanity.

Motion by Mahan, second by Thurmond to declare as surplus Lots 31 & 32, Block 14 of the Homestead Addition for the purpose of partnering with Habitat for Humanity to construct a low-income house.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

11F. The Council considered discussion and possible action requiring advanced sign-up and adherence to a specified time limit for audience members addressing the City Council. Councilman McCaleb introduced the item and stated this is one of the criteria to meet the Certified Cities requirements. Vice-Mayor Thurmond stated times can be set at 5 - 10 minutes. Mayor Carter suggested a committee be formed to review the item. Councilman McCaleb suggested the City Manager and two Council members work together to come up with a recommendation to Council. Mayor Carter appointed Councilwoman Mahan and Councilman McCaleb to work with the City Manager to bring a recommendation to Council.

No motion was made.

12A. The Council considered possible approval for City personnel to operate the Broken Arrow Bus Service. City Manager Michael Kadlecik introduced the item and gave background. In response to Vice-Mayor Thurmond, Mr. Kadlecik stated the Tulsa bus system is a much larger system with many routes and buses and can more easily accommodate special requests over a larger area. He further stated our system is a fixed route which allows for deviations of $\frac{1}{2}$ - $\frac{3}{4}$ mile for special pick-ups with prior notice and noted it does not 'meet appointment schedules'. In response to Councilwoman Mahan, Mr. Blackford stated the average ridership is 24 per day which is down from 40 a day over the last 5-years. Vice-Mayor Thurmond suggested routes and service be addressed as a separate agenda item at the next meeting.

Motion by Thurmond, second by Mahan to approve as recommended by staff and authorize the City Manager to begin operating the Broken Arrow Bus Service, on or before September 1, 2003, utilizing two part-time City employees.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

13. Under Remarks and Inquiries by Governing Body Members Mayor Carter stated he had requested of the City Manager an accounting of costs for attendance at the National League of Cities meetings. He stated he would like the Council to consider only one member attend or to have each member pay their own expenses to attend. Councilman Chatterton stated that is the only way he would consider attending.

14. The Council considered the Preview Ordinances. City Attorney Michael Vanderburg introduced the ordinances.

- A. An Ordinance annexing certain contiguous tracts of land in Section 27, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, to the city limits of the City of Broken Arrow, Oklahoma, granting zoning classifications, adopting a service plan, and declaring an emergency. This land is generally mid-mile on the south side of New Orleans and approximately one-third mile west of Elm Place.
- B. An Ordinance amending the Broken Arrow Code §8-22(C) setting the fees for setting monuments at Park Grove Cemetery, repealing all Ordinances to the contrary and declaring an emergency.
- C. An Ordinance annexing certain contiguous tracts of land in Section 4, Township 17 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, to the city limits of the City of Broken Arrow, Oklahoma, granting zoning classifications, adopting a service plan, and declaring an emergency. This land is generally at the northwest corner of Jasper and Aspen.
- D. An Ordinance annexing certain contiguous tracts of land in Section 33, Township 18 North, Range 14 East of the Indian Base and Meridian, Tulsa County, Oklahoma, to the city limits of the City of Broken Arrow, Oklahoma, granting zoning

classifications, adopting a service plan, and declaring an emergency. This land is generally mid-mile on the south side of Florence and approximately one-half of a mile west of Aspen.

Dr. Michael Ritze spoke in opposition of Preview Ordinance Item A and asked that annexation be delayed until after the sale of his property. In response to Councilwoman Mahan, Dr. Ritze stated he hopes to close the sale within a year. Mr. Vanderburg pointed out the location of current utilities and recommended the properties remain on septic systems until further development.

Motion by Mahan, second by McCaleb to table Preview Ordinance Item A for one year and advance Preview Ordinance Items B – D to the August 4, 2003 meeting for possible adoption.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

15. The Council considered the Ordinance for adoption. City Attorney Michael Vanderburg introduced the item.

A. **Ordinance No. 2555** An ordinance annexing certain contiguous tracts of land in Section 19, Township 18 North, Range 15 East of the Indian Base and Meridian, Wagoner County, Oklahoma, to the city limits of the City of Broken Arrow, Oklahoma, granting a zoning classification, adopting a service plan, and declaring an emergency. This land is generally east of County Line Road and running from 101st (New Orleans) to 91st (Washington).

Motion by McCaleb, second by Chatterton to adopt Ordinance No. 2555.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

Motion by McCaleb, second by Thurmond to adopt the Emergency Clause of Ordinance No. 2555.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

16. Executive Session: for the purpose of confidential communications between the City Council and its attorney concerning an investigation and possible litigation involving Albany between Elm Place and Lynn Lane (unknown litigants v. BA) and its effects on area economic development proceedings, all under 25 O.S. § 307B4. The City Attorney advises that in his opinion, disclosure will seriously impair the ability of the public body to process the claims or conduct the pending investigations, or proceedings in the public interest; ultimately, this determination must be made by the Council. After the conclusion of the confidential portion of executive session, the Council will reconvene in open meeting, and the final decision, if any, will be put to a vote.

City Manager Michael Kadlecik stated there will be no Executive Session.

17. The Council considered adjournment.

Motion by Thurmond, second by Chatterton to adjourn.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

The meeting was adjourned.

BROKEN ARROW MUNICIPAL AUTHORITY MEETING MINUTES JULY 21, 2003

1. The Broken Arrow Municipal Authority met in regular session in the City Hall Council Chambers on Monday, July 21, 2003, after the Broken Arrow City Council meeting, which began at 7:00 p.m. Chairman Richard Carter called the meeting to order. Authority members present were as follows:

2. Present: Chairman Richard Carter
Vice-Chairman Craig Thurmond
Mr. Wade McCaleb
Mr. Tom Chatterton
Ms. Melissa Mahan

Staff Present: Michael D. Kadlecik, City Manager
Gary Blackford, Assistant to the City Manager
Melanie Bolduc, City Clerk
Tom Caldwell, Finance Director
Justin Cook, Director of Engineering
Scott Esmond, Parks & Recreation Director
Jay Heinrichs, Controller
Brent Murphy, Assistant City Planner
Ron Osborn, Fire Chief
Allen Stanton, Chief Building Inspector
Dave Wooden, Public Works Director
Todd Wuestewald, Police Chief
Michael Vanderburg, City Attorney

3. The Authority considered approval of the minutes of the regular meeting of July 7, 2003.

Motion by McCaleb, second by Mahan to approve the minutes of the regular meeting of July 7, 2003.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

4. The Authority considered possible approval of and authorization for the Chairman to execute Resolution No. 361 a Resolution authorizing preparation and submission of a loan application to the Oklahoma Water Resources Board for the purpose of acquiring funds from the Drinking Water State Revolving Fund (DWSRF) Loan Program to construct certain water system improvements; approving the payment of an application fee; designating legal and financial professionals to assist in the application process; authorizing the Chairman and Secretary to execute certain application documents; and containing other provisions related thereto.

Motion by Chatterton, second by Mahan to approve Resolution No. 361 authorizing the preparation and submission of a loan application to the OWRB and other pertinent documents thereto and authorize the Chairman to execute the same.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

5. The Authority considered approval of and authorization for staff to work with the City of Tulsa staff in preparing the required contract proposal documents for the Haikey Creek Wastewater Treatment Plant Operations Contract.

Motion by Chatterton, second by Mahan to approve option 3, to bid the operations contract as was done in 1999, and authorize staff to work with the City of Tulsa staff in preparing the required contract proposal documents.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

6. The Authority considered approval of and authorization for the Chairman to execute Financial Plan Adjustment #4 for Fiscal Year 2002-2003.

Motion by McCaleb, second by Chatterton to approve Financial Plan Adjustment #4 for Fiscal Year 2002-2003 and authorize the Chairman to execute the same.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

7. The Authority considered approval of payroll for August 1, 2003.

Motion by Thurmond, second by Mahan to approve payroll for August 1, 2003.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter
Nay: None
Motion carried.

8. The Authority considered approval of Claims.

Motion by McCaleb, second by Mahan to approve the Claims List.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

9. There were no Remarks or Inquiries by Governing Body Members.

10. The Authority considered adjournment.

Motion by Mahan, second by McCaleb to adjourn.

Aye: Mahan, Chatterton, McCaleb, Thurmond, Carter

Nay: None

Motion carried.

The meeting was adjourned.